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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/770,406	02/04/2004	Tomio Kumamoto	0229-0795P	2734
2292	7590	04/20/2006	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH				HUNTER, ALVIN A
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ART UNIT		PAPER NUMBER		
		3711		

DATE MAILED: 04/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/770,406	KUMAMOTO, TOMIO	
	<b>Examiner</b>	<b>Art Unit</b>	
	Alvin A. Hunter	3711	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on 09 January 2006.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-7 and 12-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 3 and 12 is/are allowed.
- 6) Claim(s) 1,2,4-7 and 13-16 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 4-7, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Galloway et al. (USPN 6575845) in view of Robertson (USPN 1269745).

Regarding claims 1, 5, and 16, Galloway et al. discloses a hollow golf club head having a face portion whose front face defines a club face for striking a ball, a crown portion, a sole portion, a side portion between the crown portion and sole portion, and a hosel portion, and comprising a metal component made of a metal material, and a resin component made of a fiber reinforced resin, wherein the metal component comprising a face plate forming at least a part of the face portion, and a sole plate forming at least a part of the sole portion, and the resin component comprising a crown plate forming at least a part of the crown portion (See Entire Document). Galloway et al. does not disclose the sole gradually increasing in thickness toward the rear of the club head. Robertson discloses a sole plate in which the sole plate can vary in thickness for adjusting the weight of the club head (See Entire Document). In one embodiment, Robertson shows the sole gradually increasing in thickness toward the rear of the club head (See Figure 4). One having ordinary skill in the art would have found it obvious to

incorporate the sole taught by Robertson into the club head of Galloway et al. in order to adjust the weight of the club head. Though Robertson is silent to explicit dimensions for the sole plate, it is noted that applicant does not note the dimensions as being critical. One having ordinary skill in the art would have found it obvious to have the thicknesses of the sole plate to value suitable for the user in order to optimize the weight distribution of the club head.

Regarding claim 2, Galloway et al. discloses the hosel portion including a tubular part into which a club shaft is inserted and the tubular part integrally formed with the metal component to extend from the sole plate (See Figure 9). See the above regarding claim 1 for additional limitations.

Regarding claim 4, Galloway et al. discloses the resin component further including a side plate for forming at least a part of the side portion (See Figure 9).

Regarding claims 6 and 7, Beach et al. discloses the sole plate having a fringe thereon in figure 2 and 5. See the above regarding claim 1 for additional limitations.

Claims 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Galloway (USPN 6575845) in view of Robertson (USPN 1269745) further in view of Yamaguchi et al. (JP 09-253242).

Regarding claims 13-15, Galloway et al. in view of Robertson does not explicitly recite the depth of the center of gravity or height of the sweet spot. Yamaguchi et al. discloses a club head having a specific gravity depth of 25 to 50mm (See Entire document). Yamaguchi et al. also discloses a club head where in the sweet spot is about 18.5mm or less based on the height of the club face Because the center of gravity

is shown to occur at a distance which is at about the halfway point of the face h (See Paragraph 0011 and Figures 1 and 8). One having ordinary skill in the art would have found it obvious. One having ordinary skill in the art would have found it obvious for Galloway et al. in view of Robertson to have a specific gravity depth and sweet spot height of that taught by Yamaguchi in order to improve engine performance.

***Allowable Subject Matter***

Claims 3 and 12 are allowed.

***Response to Arguments***

Applicant's arguments with respect to claims 1-7 and 12-16 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alvin A. Hunter whose telephone number is (571) 272-4411. The examiner can normally be reached on Monday through Friday from 7:30AM to 4:00PM Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene Kim, can be reached on 571-272-4463. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Alvin A. Hunter, Jr.

  
EUGENE KIM  
SUPERVISORY PATENT EXAMINER  
SUPERVISORY PATENT EXAMINER